

REMARKSI. Amendments

Claims 38 – 40 have been cancelled. Applicants reserve the right to pursue the subject matter of these claims in subsequent divisional applications. No new matter is added by any of the amendments.

II. Supplemental Information Disclosure Statement

A Supplemental Information Disclosure Statement under 37 CFR §1.97(a)(4), Form PTO-1449, was submitted on March 24, 2006 via the Electronic Filing System. Epstein et al., U.S. Pat. No. 5,756,476 was disclosed, which is considered by Applicants to be no more pertinent than Zalewski et al., U.S. Pat. No. 6,159,946.

III. Interview Summary

Applicants thank the Examiner for granting a telephonic interview regarding the above-referenced application on March 24, 2006. The participants were Examiner Epps-Ford (USPTO) and Gina Freschi (Applicants' representative). This written summary is submitted in accordance with MPEP §713.04. It was agreed in the discussion of March 24, 2006 that the present amendments would place the claims in condition for allowance.

1. Claim 38 and its dependencies, claims 39 and 40, were discussed.
2. It is the Examiner's position that claim 38 recites the range of 0.5 to 2mg antisense compound; however, the Declaration of 5/30/01 indicates that 3 mg of oligomer falls outside the optimal range for reducing restenosis via balloon catheter.

3. Applicants' representative stated that the lower range of antisense compound may be effectively administered by direct contact with the region of injury by way of a coated stent, for example. Such a route of administration has been shown to require a smaller dose of antisense compound.

4. In order to expedite allowance of the instant claims, an agreement was reached that claims 38-40 will be cancelled and pursued in a subsequent divisional application with the presentation of further data in an inventor's declaration.

5. It was agreed that this amendment would place the claims in condition for allowance.

IV. Conclusion

In view of the foregoing, the applicant submits that the claims now pending are now in condition for allowance. A Notice of Allowance is, therefore, respectfully requested.

If in the opinion of the Examiner a telephone conference would further expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4341.

Respectfully submitted,

Gina C. Freschi
Registration No. 52,062

Correspondence Address:

Payor Number 22918
Direct Tel: (650) 838-4341
Direct Fax: (650) 838-4541